

Legal Aid Society of Hawai'i

STATE PLANNING REPORT

Submitted to:
Legal Services Corporation
March 20, 2002

The Legal Aid Society of Hawai'i (LASH) is the only provider of statewide civil legal services to the poor in Hawai'i. Founded in 1950 by community leaders such as Judge Betty Vitousek and Justice Samuel King, Sr., LASH currently operates nine offices statewide. LASH has been the exclusive grantee of the federal legal services funding available for general civil assistance since the beginning of that funding in the mid-1960's. LASH continues our commitment to serve Hawai'i's indigent families and individuals - those with low- and moderate-incomes - with their critical, civil legal needs in areas of family law, consumer issues, health care, income maintenance, and housing.

Due to a dramatic decrease of over 40% in state and Legal Services Corporation (LSC) funding support over the recent past LASH has been actively engaged in a comprehensive effort to restructure our delivery system, diversify our funding base and coordinate/integrate our services with other legal and social services providers throughout the state.

The extensive redesign was accomplished through a planning effort which has included a wide variety of partners depending upon the nature of the issue being discussed. For example, the coordinated implementation of the statewide hotline intake system and technology development involved virtually all of the smaller specialty legal services programs while LASH's diversification of funding has primarily involved planning and implementation by LASH staff.

Legal Aid's clients fall into two categories: Individuals and families who are below the 125% federal poverty level, and the working poor or gap group whose incomes fall between 125% and 250% of the federal poverty level. Last year Legal Aid provided direct legal services to approximately 10,000 clients.

Under the leadership of our Executive Director, Victor Geminiani, Legal Aid has implemented successful statewide projects such as the Supplemental Security Income Advocacy Project, the Information Services Legal Aid Network Statewide (ISLANS) hotline, the Center for Equal Justice, Technology for Equal Justice, and Court Navigation self-help clinics. These projects greatly enhance our capacity to help at-risk clients on all islands and are described in more detail in the list of Legal Aid programs that are described in section A6 of this report.

A) To what extent has a comprehensive, integrated and client-centered legal services delivery system been achieved in Hawai'i?

1. What are the important issues that impact upon low-income people in Hawai'i? How is LASH responding to these issues?

Throughout Hawai'i, the driving force that has negatively impacted on our general state of well-being is the decline of the economy over the past 12 years. The partial collapse of tourism and the almost total elimination of agriculture has created great challenges for the state. The state's economic decline has had a dramatic impact on the poverty population. The state had already been in serious economic decline and realignment during the previous decade. The events of September 11 and their effect on the mainland economy have deepened this crisis.

The September 11 tragedy caused an economic downturn in an already sluggish local economy causing residents to lose jobs or face cut-backs in work hours and income. Before September 11, an estimated 10.9% of Hawai'i residents (including 13.5% of Hawai'i's children) lived below the poverty level. After September 11, that number has risen. According a *Honolulu Advertiser* story, the State Department of Human Services received an estimated 3,000 new welfare applications in October, twice the average monthly total of 1,500. In addition to those who have lost their jobs, there are those whose hours have been cut and their income reduced.

In addition, on December 1, 2001, the first families in Hawai'i were eliminated from welfare rolls after reaching the federally imposed five-year cut-off. This affected 738 households across the state (approximately 738 adults and 1,400 children) that month alone. Each month, more are reaching the five-year cut-off for assistance at a rate of approximately 250 families (250 adults and 500 children) per month.

Case workers are overwhelmed with cases; while residents in need are overwhelmed by the complexity of the welfare system. Both caseworkers and client need objective, comprehensive information that addresses their situations, explores their options, and provides answers to their immediate needs.

LASH's response to this last crisis has been somewhat representative of our response to a variety of challenges that have been encountered by low-income residents in Hawai'i. With recently obtained foundation funding, LASH is in the process of implementing a coordinated support mechanism with other providers of legal and social services that is integrated within our delivery system. The components include:

- A statewide toll-free hotline that will be available Monday through Friday to caseworkers and clients to receive immediate analysis of the options available to address their particular situational problems and how to access a wide-range of available assistance.
- An internet list-serve will give caseworkers the opportunity to share information and ask questions of a variety of interconnected experts. The list-serve offers

- three advantages: 1) immediate access to information about available programs to changing regulations and regulation interpretations; 2) an exponential increase in problem-solving capacity since one question can be asked of a wide-variety of experts across disciplines bringing a holistic approach to addressing a welfare client's problems; and 3) an interconnectedness that builds a community among the participants and reinforces cross training by sharing information and problem-solving within the group.
- A web page, that is easy to access, easy to use, and is available 24 hours a day, will consolidate questions and answers and facilitate research. The web page will include updates on changing regulations and the complete text from the approximately 200 page Legal Aid Public Benefits Training Manual. The web page will include a search engine and provide links to relevant resources such as state and federal statutes and regulations. For those clients without computers, terminals are available free-of-charge at the Legal Aid office in Honolulu and at public libraries across the state.
 - One-to-one consultation with a public benefits expert will be offered by phone or in person should a caseworker or client prefer that venue. As an example of one of the resources available in this venue, and in the public benefits training described below, is the brochure developed by LASH and entitled, "Welfare cash assistance is ending."
 - Public benefits training will continue to be offered to caseworkers in social service agencies on each island. Approximately every 18 months, LASH has offered a two-day comprehensive benefits training on each island. Each session is filled to capacity with 60 to 80 case workers and administrators attending. Information in these workshops is updated as programs and benefits change. LASH intends to offer workshops on Maui and Kauai in 2002 and on Oahu and the Big Island by April 2003.
 - Ongoing research by Legal Aid staff will keep public benefits information up-to-date with new ideas and programs that may benefit Hawai'i's low-income population. Staff will also identify successful models and programs that have moved welfare recipients to greater self-sufficiency on the mainland and could be adopted to meet Hawai'i's needs.

The goal of this coordinated effort is get appropriate assistance as quickly as possible to those struggling with elimination from or entry into the welfare system so that they can return to self-sufficiency as soon as possible.

A second recent initiative designed to respond to evolving client need was our recent effort to develop concentrated expertise in LASH on the economic opportunities available to the low-income population through the delivery of legal support for individual and group economic development initiatives. In October, 2001, LASH held a two and one-half day retreat which brought together selected advocates from LASH and other social service programs to gain training and develop a perspective on economic development opportunities. Trainers included both local trainers and economic development experts from the Legal Services of Northern California and the Legal Aid Foundation Of Los Angeles.

The recent results of this training have been impressive. LASH advocates are currently representing a charter school in Hilo, on the island of Hawai'i, to secure sufficient funding to stabilize and expand its student base. Applications have been submitted to two local banks to obtain funding for a project to assist low-income families purchase homes, while another project is modeled after a program, currently being implemented by the Legal Aid Society of Cincinnati, to assist employed, low-income workers purchase automobiles to assist them in their transportation needs. The vehicles sold will be donated and repaired by vocational education programs in local high schools thus lowering the price to the low-income purchaser.

In Section A6 of this report is a more comprehensive description of the various specialized projects in LASH. Each one has been developed to provide a relevant response to the important issues confronting the low-income community. All of the projects involve a wide variety of appropriate organizational partners and all have been developed through a planning process involving the relevant partners.

2. What are the components of the delivery system?

Among the first major modification in our delivery system was the creation of our statewide hotline intake system known as the Information System for Legal Aid Network Statewide (ISLANS). A planning group comprised of virtually all of the legal service providers in Hawai'i was formed during 1995 to design and implement a statewide hotline intake system that acted also as a central referral mechanism for other providers, similar to the CARPLS hotline system in Chicago.

ISLANS is the first tier in the delivery of LASH's pro se services. It has successfully integrated with LASH brief and full service components, providing clients with a "seamless" referral to more services, and providing LASH staff with appropriate referrals. While headway has been made to similarly dovetail with other ISLANS members⁽¹⁾, there is room for more integration.

Currently, statistics show that 29% of hotline callers receive a referral to an ISLANS member for more services. The fact that referrals to other legal service providers have increased to 29% of callers reflects the broad ISLANS referral base.

Improving technological capacity and support was the second major modification undertaken by LASH to substantially improve the effectiveness and efficiency of client services. As of the beginning of 1995, LASH only had one 286 computer in eight of our nine offices. The remaining office, located in Honolulu, had approximately eight 286 and 386 machines. All CSR data was transferred to our central data processing computer manually by clerks. None of the computers were networked, and there was no access to e-mail for external communication.

As a first step, LASH created a statewide "hi-tech" committee comprised of representatives from most of our offices. The purpose of this group was to plan for a comprehensive system of modern, integrated technology to oversee implementation

decisions and to recommend appropriate budgeting allocations. As part of the statewide implementation of our ISLANS system, LASH also worked with other legal services providers to modernize their internal computer capacity and to provide for improved inter-program communication.

Our effort has been very successful and includes, at present, the following particulars:

- Every case handler and secretary (approximately 60 staff) in all LASH offices have desktop 486 or Pentium computers. All staff have been trained in their operation.
- Computers in all offices are networked, and have e-mail and Internet connectivity.
- LASH purchased and modified, as needed, the Neighborhood Legal Services software package for our case service report data. This software package supports case reporting, intake, and timekeeping throughout LASH.
- To support our technological achievements, LASH has contracted with the staff of a local Hawaiian trust program known as Queen Liliuokalani Children's Center (QLCC). The staff from QLCC provide guidance to our hi-tech committee and make repairs when required. Training on computer utilization is available through an ongoing QLCC training program.
- Most of our extensive pro se material will be available within the next two months on our own LASH web page. LASH developed a web page as part of our plan to improve communication between legal services programs participating in the ISLANS intake system described earlier in this report. More detail on the projected expansion of the web page is contained in Section A5 of this report.
- LASH has negotiated with Lexis-Nexis for free utilization of that service up to a maximum of ten hours per month.
- Through a grant from the Technologies Innovation Grants Program (TIG) of the Legal Services Corporation (LSC), LASH has been successful in providing video-conferencing equipment in seven of its nine offices. This equipment has significantly expanded opportunities for intra-program coordination and client service delivery.
- LASH is currently implementing a video-conferencing network through six social service non-profit partners to improve inter-program coordination as well as provide holistic services to our mutual clients. This effort is also being funded by LSC's TIG process and is described in more detail in Section 8 of this report.

Our third major modification was the creation of the Center for Equal Justice (CEJ) to assist those clients who we could not provide direct representation with assistance and support to successfully represent themselves pro se.

As one step in this effort, LASH became involved in a partnership with the Judiciary and private attorneys to simplify court forms. So far, LASH has worked closely with Family Court and District Court judges, as well as private attorneys, to draft simplified court forms for the Uncontested Divorce Packet for individuals with or without children. At District Court, LASH has also drafted improved garnishment court forms and an eviction defense form, both of which have been approved by the civil judges.

The actual CEJ was created in our Honolulu office and contains the following components:

- **simplified court forms:** LASH continues to work hand-in-hand with Family and District Courts to simplify existing court forms and create user-friendly court forms in areas where none exist;
- **a range of written, self-help materials:** These materials (1) outline rights and legal remedies; (2) offer detailed step-by-step instructions on how to begin and proceed through the process; and (3) offer instructions on how to fill out and file necessary court documents;
- **a toll-free, automated, menu-driven telephone system:** "Recorded scripts" provide free 24-hour access to telephone scripts and information on rights and procedures of issue-specific legal matters;
- **multi-lingual translation services:** These services are offered through multi-lingual recorded telephone scripts, brochures and manuals, and a volunteer multi-lingual staff;
- **typewriters, computer word-processing, and Internet technology:** Access to this technology allows users to complete forms and documents that are available on the Judiciary's website. For more experienced users, Internet technology can be used to download and access former pleadings, files, and information available via web sites or bulletin boards. Additionally, once information is made available throughout our web page in the next two months, users will be able to download court forms and instructions from their home or from the library;
- **hard-copy research** and reference legal materials (e.g., *Hawai'i Revised Statutes*) that allow capable users to research their legal options;
- **an information, referral and coordination desk:** This central desk acts as the hub of the Center and the courts. Staffed by either a volunteer advocate or legal services staff, this "traffic cop" assists, answers questions, routes and schedules the user to appropriate services offered by the CEJ.
- **schedules of self-help clinics** on particular legal issues for those who need step-by-step oral instruction on how to proceed through a court process.

The fourth major evolution of our delivery system is the assistance to clients who require full service due to the complications of their legal problem or educational/cultural barriers which are present and limit opportunities for pro se advocacy. Case acceptance criteria has been developed to guide staff in determining what cases should be accepted for full representation. Supervisory systems including case acceptance meetings, periodic case reviews and case software which permits tracking of case developments by supervisors have been established. Finally, case load expectations for all advocates have been implemented.

3. *Has this system created mechanisms to assess its performance in relationship to commonly-accepted external guides such as the ABA Standards for Providers of Civil Legal Services to the Poor, the LSC Performance Criteria or some other set of objective criteria? What is the protocol for undertaking system performance review and when was a review last undertaken?*

LASH took into consideration delivery models that were being developed in a variety of locations on the mainland in legal services and social service programs. Our hotline and Center for Equal Justice are further evolutions of systems that occurred in both legal service and court systems. Our technology development followed similar experiments in California and Florida.

Standards including the *ABA Standards for Providers of Civil Legal Services to the Poor* and the *LSC Performance Criteria* were helpful in considering the various options and best practices available.

The primary mechanism for undertaking a performance review is using the LASH Evaluation Committee of the Board of Directors. The committee reviews a number of criteria including:

- Quarterly client satisfaction surveys;
- Anonymous surveys to staff members, board members and partnering agencies;
- the programs annual fiscal audit;
- monitoring or oversight reports by all funding agencies

4) Does your statewide system work to ensure the availability of equitable legal assistance capacities to clients - regardless of who the clients are, where they reside or the languages they speak? How does your system ensure that clients have equitable access to necessary assistance including self-help, legal education, advice, brief service and representation in all relevant forums? Please describe what steps you anticipate taking to ensure equitable access in the coming years.

The program has accepted, as a primary component of its mission, the responsibility to provide equal access to eligible clients throughout the state. A great deal of thought has gone into ensuring that, as the delivery system evolved, it is supported successfully to obtain this goal. The mechanisms include:

- Maintaining a fully staffed and equally equipped offices throughout the state. Each of the six primary islands, including Lanai, has a LASH office. Even in our most economically difficult period, this LASH tradition was preserved.
- Our ISLANDS Hotline delivery system is accessed by clients throughout the state from the comfort of any home or location that has a telephone.
- Remote communities and populations are periodically visited by a comprehensive outreach and circuit riding program described elsewhere in this report.
- The core philosophy of our Center for Equal Justice is to achieve the objective of a "Center Without Walls." LASH plans to link the Center to places in the community which are already popular for information distribution. In mid-2002 LASH will linking our services to libraries, community centers and home/facilities with Internet access through computers. LASH personal will meet with staff or service personnel in

those areas and educating them on our services, providing some of our materials to them for distribution and possibly offering them computers or assistance in hooking-up with their existing equipment through appropriate bandwidth so that users can access our services via the Internet.

In preparation for expanding the Center to the neighbor islands, LASH has already started to update all brochures for statewide use and to create forms that can be used in any Circuit. In 2002, LASH will select one or two neighbor islands in which to expand the Center and its components. We are currently planning to target Maui and the island of Hawai'i. In these areas, community service providers will be identified and contacted to see if they are interested in meeting to become educated on the components of the CEJ and possibly in hosting some of our materials at their sites. LASH offices in those areas will also host small CEJ's. LASH staff will begin to work with these neighbor island courts for advocacy on pro se efforts.

Our effort to develop partnerships with multiple agencies, as described throughout this report, will provide a strong foundation for the continued expansion of access throughout the state.

5. How does the legal service delivery system employ technology to provide increased access and enhanced services to clients throughout the state? What technological initiatives are currently underway and how will they support the integrated statewide delivery system?

Technology has and will continue to drive our effort to provide maximum access throughout the state. In addition to the components previously described such as our ISLANDS Hotline, Center for Equal Justice and video-conferencing capacity between existing LASH offices. Two other technology driven initiatives are to become active within the next six months.

The first involves the evolution of our web page. Within the next month LASH will introduce our new web page which will have a substantial capacity to provide assistance, to staff and general public, for advocacy efforts.

The website will include:

- information about LASH and the services we provide;
- general legal information and reference guide;
- links to national legal research sources and data centers;
- links to other service providers (both local and nationwide);
- menus for support trainings;
- access to brochures, recorded scripts and all court forms;
- links to the Judiciary and its services;
- information about LASH's Affordable Lawyers Program (for the "gap group") with actual application forms; and

- LASH clinic schedules and calendars

LASH will look into the possibility, cost and effectiveness of interactive pages to handle questions from clients or service providers. LASH will also prioritize the creation of a video library through streaming videos on common legal issues. LASH plans on looking into a partnership with Olelo (a local community cable network) to air self-help videos at regularly scheduled times and to create clinics or portions of clinics that are taught via videotape.

The second initiative involves the use of videoconferencing. Within six months, LASH will expand video-conferencing capability throughout our primarily populated island of Oahu by locating equipment in many of the offices of other legal and social service agencies. These partner agencies include: *Honolulu Community Action Program, Salvation Army, Learning Disabilities Association of Hawaii, Inc., Parents and Children Together, Small Business Development Center and in the isolated town of Hana on the Island of Maui.*

This initiative is funded by the LSC TIG II grant. Currently, protocols are being developed between each of these agencies to ensure the equipment will be available for client service by all partner organizations. This availability will significantly decrease the distance the clients of any other partner agency will have to travel for assistance and advice. The equipment will also facilitate the holistic delivery of services to clients by creating inter-agency "immersion teams" to assist clients in resolving a variety of their needs. The equipment will also support increased communication between the staff of partnering agencies. This effort will be more extensively described in Section A8 of this report.

6. ***How has the legal service delivery system expanded its resources to provide critical legal services to low income clients including hard to reach groups such as migrant farmworkers, Native Americans, the elderly, those with physical or mental disabilities, those confined to institutions, immigrants and the rural poor?***

LASH has spent a considerable amount of creativity and energy to develop programs and resources which are needed to expand services and support projects that are targeted at a variety of needs found with the low-income population. These project include:

Focus on Children

- **Adoption/Guardianship Project**

The Adoption/Guardianship project serves low-income families who wish to provide permanent, healthy homes for children in the Child Protective Services (CPS) foster care system and children whose parents are unable to raise them effectively. In addition to representing them in adoption or guardianship, LASH holistically assists prospective parents in dealing with issues concerning the child's well-being - for instance, helping

them obtain special education benefits, tax benefits and/or increased family income such as adoption assistance payments, public benefits, etc.

- **Child Support Project**

Three events spurred the development and implementation of this project. The first was the significant increase in people seeking assistance from LASH with child support modifications and enforcement. The second grew out of the Child Support Enforcement Agency's (CSEA) overwhelming requests for assistance. The third was the implementation of federal welfare reform mandates which took effect in December 2001 and resulted in an estimated 900 families in Hawai'i losing their TANF assistance. Through this project, LASH provides assistance to custodial parents who need to modify and/or enforce their child support orders. Services offered range from counsel and advice to full representation.

- **Guardian Ad Litem (GAL) Project**

LASH advocates are court-appointed guardian ad litem (GAL) in many Child Protective Services (CPS) cases. GALs represent children who have been abused or neglected by advocating for the children's best interest. GALs visit the children, conduct investigations, report to the court and attend all hearings on behalf of the children.

- **Hawai'i Navigator Program**

The Hawai'i Navigator Program helps families identify and resolve the stressors in their lives before they lead to events that may require the intervention of Child Protective Services (CP). LASH advocates provide one-on-one guidance for families in 1) identifying the family's stressors, and 2) connecting the family with public, private and community resources that can help them to eliminate these stressors. In one example, the Nanakuli Pilot project, 68 families were served and only three of them were later referred to CPS for intervention. This project's strength lies in its ability to reassign to families and communities the role of child protector. LASH will expand the program to Papakolea, Waimea, Puna and Moloka'i in December 2002.

Focus on Seniors

- **Medicare Advocacy Project**

The Medicare Advocacy Project provides legal advice and representation to elderly and disabled people who have been unfairly denied Medicare eligibility and health benefits. The project also educates seniors and service providers such as doctors and social workers about Medicare law, including how to know if your claims have been unfairly denied.

- **Senior Title III Project**

The Title III Senior Project's overall goal is to provide legal advice, counseling and representation to Maui and Hawai'i County seniors regardless of their income or assets. Some common services include assistance with simple wills, housing, medicare, durable powers of attorney, advance health care directives, medicaid, adoptions, divorce and many other standard services.

- **Senior Legal Hotline**

The Senior Legal Hotline allows LASH advocates to assist seniors throughout the state, age 60 and over, with their legal issues, *regardless of the senior's income and assets*. Services include counsel and advice on a variety of legal issues. Depending on their legal needs, seniors may also be eligible for further services in addition to counsel and advice, including advance health care directives, powers of attorney, Medicaid long-term care planning and more.

Supporting Hawai'i's Families

- **Affordable Lawyers Project**

Through this project, LASH provides low-cost legal services to individuals and families who earn too much money to qualify for free LASH services but who still cannot afford to pay the standard fees charged by private attorneys. This project serves people who are above 125%, but below 250% of the Federal Poverty Guidelines. Legal services offered by the Affordable Lawyers Project include Chapter 7 bankruptcy, uncontested divorce, uncontested adoption, uncontested guardianship of a minor, uncontested guardianship of an incapacitated adult, name changes, simple wills, advance health care directives and powers of attorney.

- **Employer Assistance Project (EAP)**

The EAP program coordinates the development of a recommendation aimed at promoting business community partnerships with social service and governmental agencies. The project's primary goal is to increase employment opportunities for low-income recipients of Temporary Assistance for Needy Families (TANF).

- **Fair Housing Enforcement Program**

Fair housing laws prohibit discrimination in the rental, sale, finance or insurance of housing based upon certain protected categories. Protected categories include race, color, sex, national origin, religion, age, disability, marital status, family status and HIV infection. The Fair Housing Enforcement Program goal is to enforce fair housing laws by determining whether housing providers (landlords, lenders, sellers, etc.) are discriminating against individuals. This program offers statewide services to victims of housing discrimination, *regardless of their income or assets*.

- **Homeless Holistic Civil Legal Services Project**

This project provides holistic legal services to homeless persons on O`ahu during their transition from homelessness to independent living. Our project focuses on four major areas: getting and keeping a steady source of income, getting and keeping shelter, protecting personal safety and improving personal and family relationships.

- **HUD Homeownership Counseling Project**

This statewide project addresses the legal and financial issues facing renters, home buyers and homeowners defaulting on their mortgages, *regardless of their income and assets*. Services provided through the HUD Housing Counseling Project are broken down into two main categories. The first, renter's assistance, provides renters with a broad range of legal assistance about tenants' rights and responsibilities. The second, homeownership counseling provides basic pre-purchase counseling or default counseling coupled with negotiation assistance with lenders when necessary.

- **Life Foundation Legal Clinic**

LASH provides HIV+ individuals on O`ahu with free legal assistance in monthly clinics designed to offer counsel and advice a variety of legal issues, including divorce, restraining orders, bankruptcy, public benefits, housing issues, simple wills, advance health care directives (formerly called living wills), durable powers of attorney and more. LASH staff also drafts simple will, advance health care directive and durable power of attorney documents for Life Foundation clients so they can better deal with end-of-life issues.

- **Low-Income Taxpayer Clinic (LITC) Project**

The LITC Project provides free tax preparation assistance, legal tax representation and outreach and education on taxpayers' rights and responsibilities. The Project especially focuses on low-income and English as a Second Language (ESL) communities. One focus of the project is to maximize Earned Income Tax Credit (EITC) payments for low-income workers.

- **Social Security Advocacy Project**

The Social Security Advocacy project helps disabled and elderly individuals who are receiving cash assistance from DHS to apply for and/or appeal their claim for SSI and Social Security benefits. Eligible cash assistance includes Aid to the Aged, Blind and Disabled (AABD), General Assistance (GA) and Aid to Families and Dependent Children (AFDC).

- **Teamsters/Allied Legal Services Project**

Through a contract with the Trustees of the Hawai`i Teamsters and Allied Workers, some employees of Local 996 Teamsters/Allied Workers companies are eligible for legal services. Under this legal services plan, LASH staff provide eligible employees and their

dependents with legal advice and consultation, or brief legal assistance in areas of family, consumer, public benefits, traffic, misdemeanor and housing law and more.

Delivery of General Legal Services

- **General Legal Services**

LASH advocates represent clients in four primary areas of law: housing, family, public benefits and consumer. Representation is based on several factors such as gross income, organizational priorities, the merits of the case, the level of legal work necessary to meet the client's needs and the availability of other community resources.

- **ISLANDS Hotline**

The ISLANDS (Information System for Legal Aid Network Statewide) Hotline is a toll-free statewide telephone system that provides callers with free and immediate counsel and advice on a variety of legal issues. LASH staff, contract attorneys and paralegals identify the caller's legal issue(s) and explore legal and non-legal options for resolution. The ISLANDS Hotline also acts as a coordinator of referrals to the other eight legal services programs in Hawai'i.

- **AmeriCorps Access to Justice Project**

The Access to Justice Project improves the access low-income individuals have to legal, social and economic justice. The project has three major focuses. The first is the provision of legal, economic and other information to clients via telephone and direct client contact. The second is the creation and distribution of materials such as brochures, self-help packets and videos, which assist clients with common legal, social and economic problems. The third is the creation, coordination and implementation of self-help workshops on various legal, economic and social topics.

- **Center for Equal Justice (CEJ)**

Opened in November 1998, the Center for Equal Justice (CEJ) is a one-stop shop for justice that helps unrepresented court users resolve their legal issues on their own. Services at the CEJ include: immediate counsel and advice; assistance in completing forms/letters; self-help and informational brochures, videos and materials; how-to legal workshops on issues such as divorce, bankruptcy and eviction; Courthouse Advocacy Programs; computers, copiers and typewriters; 24-hour recorded telephone information; hard-copy research materials and internet access.

- **Technology for Equal Justice Project**

The Technology for Equal Justice Project provides underserved communities with increased access to legal, social and economic justice through the use technology. Through this grant, LASH has been able to create a comprehensive, interactive web site

that assists pro se users in completing required court forms and directs them to numerous legal and social service resources. LASH also uses video teleconferencing to connect neighbor island and rural communities with needed legal and social services - services not available in their immediate vicinities. The project emphasized collaborative partnerships with a number of social service and state agencies in an effort to more holistically address client needs.

- **District Courthouse Advocacy Project (CAP)**

District CAP is a collaborative project between the district court of the First Circuit and LASH. Here, a LASH attorney and paralegal appear at different district courts on O`ahu to assist eligible and unrepresented court users. Services can include immediate counsel and advice, assistance in negotiating with the opposing party including mandatory mediation and representation in the hearing.

- **Family Courthouse Advocacy Project (CAP)**

Family CAP is a collaborative project between the Family Court of the First Circuit and LASH. Through the project, LASH attorneys and paralegals appear at Family Court in Honolulu to provide legal assistance to eligible, unrepresented court users. Services can include immediate counsel and advice, assistance drafting court orders and forms, calculating child support and help negotiating with the opposing party.

- **Maui Family Court Project**

Through this collaborative project between LASH and the Judiciary, a member from LASH's AmeriCorps Access to Justice project is placed at Maui Family Court. The AmeriCorps member creates informational handouts, develops simplified court forms and helps explain Family Court processes to unrepresented litigants involved in Child Protective Service (CPS) cases, divorces and Temporary Restraining Order cases.

- **Brown Bags**

The goal of the Brown Bags project is to provide monthly forums that educate both frontline social workers and interested private bar attorneys on various legal and social work topics affecting Hawai`i's low-income community. Brown Bags also endeavors to build closer relationships between legal service providers and non-profit agencies that assist low-income clients. Past topics have included domestic violence, mental health issues, welfare, substance abuse and more.

7. *What steps have been implemented with the legal services delivery system and among client communities to identify and nurture new leaders? Do the existing leaders reflect the diversity within the state and within client communities that your delivery system serves? Do your state's equal justice leaders reflect the gender, race, ethnic and economic concerns of important but sometimes overlooked groups within your state? Does the leadership provide opportunities*

for innovation and experimentation; does it support creative solutions to meet changing needs; are new ideas welcomed; are clients nurtured as leaders? Has the leadership been given sufficient authority and resources to implement needed changes?

LASH's staff and managers are likely more diverse than any legal services program in the nation. To a large extent this is due to the highly diverse population in Hawai'i and LASH's aggressive approach of locally recruiting and nurturing likely candidates.

Once a year, LASH holds a two and one-half day Management Skills Retreat. This year the retreat will be held from May 8 to May 10. The trainers will be Bruce Iwasaki, Executive Director of the Legal Aid Foundation of Los Angeles, Tom Matsuda, Executive Director of Oregon Legal Services and Pat McIntyre, Executive Director of Northwest Justice Legal Services in Washington State.

Approximately 20 trainees from LASH will attend. Attendance will include all managing attorneys, non-lawyer managers and staff who are managing many of the projects described in the preceding section of this report. Topics will include: supervising case development; effective evaluations and providing feedback to staff; juggling multiple tasks; effective delegation; time management; managing difficult people and perspectives on lifestyle and tasks required in other legal occupations;

In addition, a number of the managers of offices or programs participate in national management and substantive training conferences including those sponsored by MIE, NLADA and the ABA.

The key to LASH's success in maintaining a low level of staff turnover, while at the same time experimenting in new projects and delivery techniques, is the decentralization of control and responsibility exercised as a central point of management philosophy. The managers of all offices and most projects have a great degree of power to implement their own responsibilities. The guiding principle of program management is the old adage "*start with yes and go to no*" which best embodies our expectation that staff should be given the flexibility and support to experiment and grow professionally in their chosen field of interest.

8. ***What do you envision will be your next steps to achieve a client-centered integrated and comprehensive delivery system within your state or territory? How will clients be actively involved in the determination of these next steps?***

Our evolving vision for client-centered integration and the development of a comprehensive delivery system has at its center, an expectation that clients can best be helped by providing holistic inter-disciplinary services through close and formal partnerships with other legal and social services agencies. Many such efforts have been described previously in this report.

We would like to expand on one which embodies much of our expectation about future program design at LASH. That program was briefly described in Section A5 of this report and is funded by the LSC TIG II program.

Through the TIG II grant, we have been working closely with a broad range of social service providers in the community. We are focusing on developing protocols for (1) a shared web-based client database, (2) shared access to videoconference equipment, and (3) immersion teams designed to holistically address client needs. The TIG II partners have met as a group five times since September 10, 2001, to discuss and implement this project. The following agencies have participated in these meetings as active and committed partners in TIG II:

- **Small Business Development Center (SBDC)** - provides resources to individuals who have a small business or who would like to start a small business.
- **Honolulu Community Action Program (HCAP)** - provides a broad range of self-sufficiency services (job training, child care, energy assistance, etc.)
- **University of Hawai'i Rural Development Project (RDP)** - provides educational and vocational education services, especially in rural communities.
- **Salvation Army Family Treatment Services** - provides substance abuse treatment to mothers and pregnant women.
- **Learning Disabilities Association of Hawai'i (LDAH)** - provides support services to parents of special needs children and to professionals who serve those children.
- **Parents and Children Together (PACT)** - provides a broad range of services including economic development and other self-sufficiency services.

We have also met several times with Lavanet and Sprint, agencies which will be providing the necessary technological support for this project.

Through our meetings thus far, we have accomplished the following:

- Designated contact persons to represent each partner at regular meetings.
- Familiarized one another with the services provided by each partner agency.
- Reviewed each partner agency's intake procedures.
- Developed draft protocols for intakes and referrals between agencies using the web-based client database.
- Resolved issues specific to partner agencies. Examples include:
 - Confidentiality: As a substance abuse treatment facility, Salvation Army Family Treatment Services is governed by very strict confidentiality regulations. We discussed and resolved how to work together to provide holistic services while simultaneously protecting client confidentiality.
 - Conflicts of interest: Legal Aid Society of Hawai'i (LASH) is the only agency which needs to prevent conflicts of interest. We decided how to set up the shared client database in a way which does not compromise our ability to avoid helping parties with whom we have a conflict.

- Developed a common intake form for doing intakes and making referrals between partners.
- Obtained sample forms from other agencies involved in community partnerships; these forms are serving as models as we draft and develop our own forms (i.e. informed client consent forms).
- Demonstrated the videoconference technology to partners and offered them the use of LASH's videoconference equipment.
- Started initial discussions on what clients we would like to target for holistic client immersion services.
- Outlined the web-based client database requirements and started database design.

We are currently focusing on the following critical issues:

- Continuing to develop and improve the web-based shared client database.
- Developing protocols for providing more focused, holistic client services.
- Developing protocols for equipment (placement, type of equipment, maintenance, etc.)

This project best describes the efforts LASH will continue to make in the near future to achieve integration of services and relationships so that comprehensive, holistic services can better be provided to clients throughout the state.

9) What has been the greatest obstacle to achieving a statewide, integrated, client-centered delivery system and how was that obstacle overcome or, alternatively, how do you plan to overcome that obstacle?

Within LASH, distance between islands with the added barrier of water, has presented the most difficult barrier to program integration of activities. The existence of many separately incorporated non-profit agencies, and the natural walls that exist between different organizations, has presented the greatest barrier to inter-agency integration of services.

Technology utilized, as described previously, has been a major asset used to overcome distance and isolation both within LASH and between partner organizations. Most of our programs and many of our resource generating efforts have recently involved partnerships with other organizations. This has helped in reducing inter-agency barriers.

An example is a recent contract we received from the Department of Human Services in conjunction with the largest non-profit agency in the state, Child and Family Services (CFS). Under this contract each of the CFS offices on the various islands in our state will provide case management and follow-up assistance to TANF recipients who have been certified for Domestic Violence exemptions. LASH will be provided referrals of all of these clients who have legal problems which they must resolve to move toward self-sufficiency including family, consumer, administrative benefits and housing. CFS and LASH staff will be cross-trained in the services each agency provides and client success

in improving their self-sufficiency will be tracked. Staff of LASH and CFS will work together in immersion teams to provide a panoply of services to holistically assist clients.

10. *Has any benefit-to-cost analysis been made in terms of creating a comprehensive, integrated and client-centered legal services delivery system in your state? If yes, what does your analysis show?*

LASH has not developed a formal cost benefit analysis instrument or system. We periodically compare program resources that are spent on our various projects to the numbers of clients served in the past. Over the past seven years, the implementation of our various delivery systems have approximately doubled the number of clients we have provided services to while providing a higher level of full-service than ever before. The current total number of clients served annual is approximately 10,000 with about 850 receiving full service assistance. These increase have been accomplished with a budget of approximately \$3.1 million which has remained stagnant over the past 10 years.

11. *What resources, technical assistance and support would help you meet your goals?*

LASH could not have achieved its current level of development without the assistance from the LSC TIG grant process. We encourage the continuation of this program.

LASH could benefit from spending less of our precious and limited resources in responding to LSC's many bureaucratic requirements including regulatory compliance and report writing.

B. *To what extent have intended outcomes of a comprehensive, integrated and client-centered legal service delivery system been achieved including but not limited to service effectiveness/quality; efficiency; equity in terms of client access; greater involvement by members of the private bar in the legal lives of clients; and client-community empowerment?*

1. *In terms of the issues impacting upon low-income persons within your state, what strategies have you designed to address these issues and how do you plan to measure your future success in addressing your objectives?*

The primary strategies that have been employed to impact upon low-income individuals and community needs have been extensively described throughout Section A of this report. These include our philosophical direction towards working, in conjunction with a broad set of partner organizations, to resolve in a more holistic way, the problems that an individual, family or community have. This is evident in the description in Section A(1) of the client/caseworker welfare support project; the coordinated ISLANDS hotline system described in Section A(2); the videoconferencing partnership described in Section A(5); the list of current services described in Section A(6); and the Domestic Violence Support project described in Section A(9).

The philosophy of providing a totality of legal and non-legal solutions to resolve client problems will continue to drive the program's response to client needs.

Another primary strategy has been to utilize technology, whenever possible, to overcome isolation of staff, programs and communities of clients. LASH's web page, videoconferencing, and outreach efforts (described in Section B(5)) are examples of the use of technology to further reach and address client needs.

A third area of emphasis is in providing relevant training events for the staff and clients. Our self-help clinics and internal trainings such as the recent Economic Development Retreat described in Section A(1) of this report are a few examples of the current effort to continue staff and client support for resolving emerging issues and areas of need in our client population.

The ongoing evaluation process includes:

- A. quarterly client satisfaction surveys;
- B. examination of the amount and extent of assistance we are able to provide to clients requesting services;
- C. internal case reviews;
- D. satisfaction of partner organizations with their relationship with LASH;
- E. geographical distribution of clients assisted throughout the state.

LASH would like to develop more comprehensive case tracking between mutual clients of LASH and its variety of partner organizations to determine if the provision of holistic and coordinated services can succeed in moving mutual clients and families to greater self-sufficiency. This evolving evaluation process will be somewhat complicated to achieve. It will require a common database, sharing of updated information on client activities, a mutually agreed upon system for selecting clients to be included in holistic efforts of service and a vehicle to evaluate their progress toward the goal of increased self-sufficiency.

2. *Has the legal services delivery system expanded access and services through coordination with providers throughout the state? Can this be quantified?*

Coordination of service delivery with other service providers, both legal and nonlegal, has been central to the development of our emerging delivery system over the past several years. Examples of this expanded integration are included throughout Section A of this report.

We have been able to quantify the number of referrals from our ISLANDS hotline intake system and those results are summarized in Section A(2) of this report. As we progress in our development of our partnerships, we will track provisions of coordinated services as described in response to the previous question.

Geographical tracking of client services has indicated a measurable increase in services to isolated individuals and communities. Quarterly review of client satisfaction surveys has indicated a constant level of satisfaction with services throughout the past eight years. Each survey has indicated that between 80% and 90% of LASH clients rate the services they received as either excellent or good.

3. ***Has the quality of services provided by the legal services delivery system improved? How?***

We believe the overall quality of services has increased. The indicators are client satisfaction, court satisfaction, comments from partner organizations, funders evaluations reports and case reviews. Each of these indicators continues to show a high level of respect for the quality and depth of program services.

Supporting the increased quality of services is the intention of our case conferences, internal and external training events, videoconferencing capability and improved mentoring/orientation of staff. The anticipated introduction of our new program web page will increase staff support. LASH will also introduce in 2002, substantive listserves and chat rooms that will further support the work of our advocates in each of our priority areas.

LASH staff has been actively pursuing the creation of a strategic plan that covers six areas of concentration. The board adopted six goals are:

Goal 1 - Board

The LASH Board of Directors shall create and implement a plan to improve the appointment, retention and contributions of board members who will actively support the mission of the program.

Goal 2 - Funding

LASH will continue to solidify, increase and diversify its funding base to provide relevant comprehensive and stable services to the low-income population of Hawai'i.

Goal 3 - Advocacy

LASH will continue to improve, expand and create opportunities for all forms of advocacy

required to assist our clients to succeed.

Goal 4 - Staff

LASH will develop and implement a plan to recruit, train, and retain staff members throughout the state who are committed and capable of providing quality services to our clients.

Goal 5 - Communication

LASH will create a positive image that will increase public and private support to assist us in accomplishing our objectives.

Goal 6 - Technology

LASH will effectively use innovative technology to better meet our clients' legal and social service needs.

The initial draft of the recommendations for "*Goal 3 - Advocacy*" is heavily weighted towards supporting the continued effort to improve the quality of our services. The strategies include the following initiatives:

- A. **RESOURCES AND MENTORING:** LASH will ensure that resources and mentoring are made available to staff members.
 - 1. ***By developing protocols which outline and detail expectations of supervisors, senior attorneys, area specialists and junior attorneys.***
 - i. ***Management:*** Management must take an active roll in facilitating the establishment and use of mentors and resources. This can be assisted by:
 - 1. Making a clear statement to all LASH staff that mentoring is important to the growth and success of all staff and that management is willing to help foster the development of mentoring relationships; and
 - 2. Implementing evaluations which hold senior attorneys and management responsible for performing mentoring duties. Management should take into consideration the time required to perform mentoring duties.
 - ii. ***Supervisors & Senior Attorneys Available to Junior Attorneys/Advocates:*** Supervisors and senior attorneys should be responsible for ensuring that junior attorneys have ample opportunities to utilize all available resources and potential mentors. Possible strategies include the following:
 - 1. Supervisors, senior attorneys, and area specialists be required to make themselves available to assist less experienced attorneys.

2. The level of assistance to be provided will vary depending on the expertise of the mentor and the needs of the junior attorney. Management training may be necessary in order to effectively perform this function.
3. Job descriptions should clearly state mentoring/resource responsibilities and evaluations assessing ability and willingness of staff to fulfill this responsibility.
4. Notify junior attorneys of formal discovery dates so that mentee can observe & discuss.
5. When possible, have junior attorney co-counsel on major litigation cases.
6. Supervisors and mentors assist junior attorneys in utilizing other resources, such as the resource list described below

iii. *Junior Attorneys Responsibilities:*

1. Junior attorneys will be expected to utilize the resource list discussed below
2. Junior attorneys, and all LASH attorneys expected to participate in activities such as the bar association, bar section meetings, and other networking opportunities with private attorneys. In addition to forming potential new resources, this will increase LASH's visibility in the legal community.

B. ***By developing a staff and "Friends of LASH" resource list.***

- i. *List Composition:* The List of resources within LASH will state the area of expertise, as well as areas of interest for each advocate. The "Friends of LASH" list should include private attorneys, board members, and national centers/organizations. This list should be divided by area of expertise and include a description of the level of assistance what each person or organization is willing to provide.
- ii. *Development and Maintenance:*
 1. One individual (possibly an administrative position) would be assigned the responsibility of gathering the necessary information, compiling the lists, distributing the lists and updating the list.
 2. An inventory of potential mentors/resources will be compiled. Each employee will be asked to respond to a questionnaire/e-mail asking (1) area of expertise (substantive topic and/or litigation specialty (e.g. depositions)), (2) areas of interest, (3) any past lives/jobs which may be useful and (4) names and contact information of private attorneys who have been helpful or

may be willing to offer support. A specific deadline for responses should be set.

3. The non-LASH list will be completed only after a short telephone call to potential members identifying the extent to which that individual is willing to offer assistance (i.e. answer topic specific questions, assist with procedural issues, co-counsel, referrals, etc.) Board members will also be asked to provide names of possible resources.
4. The list should be updated as individuals join or leave LASH.

iii. *Distribution and Use:*

0. The list should be available in an employee only section of the LASH website. In addition, at least one paper copy should be available in all offices.
1. Supervisors should review relevant portions of the lists with new advocates during orientation and actively encourage their use thereafter.

3. **TRAINING:** LASH will provide training to staff members aimed at developing substantive law comprehension and litigation skills.

A. ***By establishing training and development protocols.***

Training and Development Protocols: ⁽²⁾ Establishing Training and Development Protocols is the first step in "institutionalizing" the value the organization places on training. Training and Development Protocols set out at each stage of employee development the tasks and responsibilities of both the supervisor and the employee. Protocols do not infringe upon a supervisor's flexibility to fit training experiences to the individual's needs. ⁽³⁾ Protocols also provide an additional benefit as a concrete method to communicate organizational expectations and objective criteria for measuring both the supervisor and employees performance.

B. ***By creating and developing specialized trainings for staff members.***

- NITA/ABA Litigation Skills Workshop:* This would be a 2 ½ day intensive hands on litigation workshop using NITA material.
- i. *NPL On-line Research Training:* The National Center for Poverty Law produces the Clearinghouse Review which is an extremely useful publication for keeping abreast of developments nationwide on poverty law issues. The Center has agreed to come to Hawaii to offer an intensive one-day workshop on how to undertake on-line poverty law research.
- ii. *Monthly Brown Bag Presentations by Unit and Managing Attorneys:* The Managing Attorneys/Unit Heads should organize twice a year a two-hour presentation on their respective areas of expertise. These events would take place from noon to 2:00pm on prescheduled days. Other experts from the community would be invited to fill four other slots during the year on substantive and procedural issues of interest to LASH.

- iii. *Complex Litigation Training.*
- iv. *Substantive Cross Training of All Advocates:* This approach is a necessity and will reap significant benefits with regard to issue spotting and better servicing our clients.
- v. *Other In-House Training:* Other training that historically undertaken by LASH such as an orientation and hotline training should continue.

C. ***By exploring opportunities for and sending staff members to training events.***

- . *Mainland Training Events:* There are several valuable national workshop presentations in the Poverty Law area that are of value for staff to attend. This practice should be continued on a funds available and merit basis.

4. **IMPACT LITIGATION:** LASH will facilitate and provide opportunities for staff members to engage in impact litigation.

A. ***By increase opportunities for issue spotting.***

- . *Expand brief services:* Most clients assisted through intake never have a face to face meeting with advocates. As such, their documents are never reviewed by advocates. While clients may self-identify a specific issue as their problem, the reality is that they actually have another problem once the documents are reviewed.
- i. *Increase review of intake dockets:* Through our case acceptance criteria system, sometimes significant potentially advocacy cases are lost. Increased review of these documents and communication of trends to managing attorneys and unit heads would broaden our spectrum of services.
 - 0. Intake manager should routinely contact managing attorneys and unit heads about trends and interesting cases beyond case acceptance criteria.
 - 1. Managing attorneys and unit heads should identify substantive law issues and trends and work with intake manager to integrate into case acceptance criteria on a routine basis.
- ii. *Require community outreach activities for all advocates:* The best source for impact litigation and advocacy opportunities comes from the community. By being out in the community, we are visible, appear more available to respond to problems and will garner more support if we pursue impact litigation and/or advocacy.
 - 0. Managing attorneys and unit heads should facilitate community outreach activities (i.e. conducting training, attending community meetings, manning tables at community events, etc.) for all advocates, but should have the discretion to determine which advocates are appropriate for which community groups.

1. Training should be provided to advocates conducting outreach about how to collect information for impact cases.

B. *By creating a litigation working group.*

. The creation of a litigation team or group would result in more effective issue spotting and litigation and will help develop motivation for a culture of impact litigation at LASH, rather than perpetuating the present one which relies only on individual initiative.

0. Identify and develop a base of attorneys in the program interested in committed to pursuing impact litigation cases.
1. Create a list serve or e-mail group for a litigation working group committed to participating, responding and being involved in impact litigation cases.
 - a. Create complex litigation mentoring/co-counseling arrangements.
 - b. Provide training when determined necessary to improve litigation skills.

5. COMMUNICATION: LASH will develop communication vehicles to facilitate internal communication about substantive law developments, case work, and a community of LASH staff members.

A. *By utilizing technology to develop methods and means of increasing communication among staff members.*

- . *Listserve:* Create an internal listserve that is segmented according to the need and interest of our advocates, i.e. by area of practice or by office. The listserve will be for use within LASH only. A manager for the listserve will have to be assigned to monitor or direct the content of the information so that it has value to the listserve member.
- i. *e-newsletter:* Supplement our existing e-newsletter framework by adding a "library" of dockets that will, among other things, track impact litigation and appeals, describe the various projects operated by LASH (including a description of the project, name of the manager, status of the project and a link to the project proposal), post issue-alerts and legislation alerts.

B. *By requiring area specialists and managing attorneys to participate, contribute and disseminate relevant information about substantive law developments and impact litigation cases.*

C. *By requiring area specialist and managing attorneys to hold regularly scheduled case conferences.*

- . *staff conferences:* Hold regularly scheduled staff conferences either by office or unit. For example, managing attorneys will convene monthly case conferences where the status of every open case is discussed, other administrative information is disseminated, etc.
- i. *subject matter case conferences:* Regularly scheduled conferences will be convened by unit leaders and conducted by telephone or

videoconference. Advocates may discuss litigation strategy, litigation techniques, trends in the law, difficult cases, etc.

6. **MANAGEMENT SKILLS:** LASH will improve its ability to maintain good managers.

A. *By providing more competitive and equitable salaries.*

B. *By communicating effectively the expectations for all managers through training.*

- . continue an 18-month cycle for management skills training retreats;
- i. include in the upcoming Management Skills Training scheduled for May topics such as:
 - 0. supervising case development;
 - 1. effective evaluations and providing feedback to staff;
 - 2. juggling multiple tasks;
 - 3. effective delegation;
 - 4. time management;
 - 5. managing communication with staff;
 - 6. perspectives on lifestyle and tasks required in other legal occupations;
- ii. Trainers should be provided with sufficient information on program history, etiquettes, staff responsibilities, activities, etc., to provide relevant training.

C. *By creating on-going mechanisms for feedback from managers and group problem-solving.*

D. *By (only upon the availability of funding after stabilizing existing staff and increasing staff salaries) employing a Director of Litigation and/or a statewide administrative support person.*

- . *Employ a Director of Litigation to assist in:*
 - 0. mentoring;
 - 1. backup on complex cases;
 - 2. implement effective program case reviews;
 - 3. organize substantive training for staff;
 - 4. co-counseling;
 - 5. organize support mechanisms such as a brief bank.
- i. *Employ a state administrative support person to help managers in:*
 - ii. writing program policies and manuals;
 - iii. standardize training;
 - iv. orient new managers and assist them in their growth;
 - v. create easier systems for administrative activities;
 - vi. assist in purchasing of major equipment or changing space requirements;
 - vii. assist in grant management (i.e., report writing, tracking expenses, etc.);
 - viii. manage CSR system;
 - ix. assist in legal research implementation and staff training;

- x. assist in implementing effective systems for case supervision.

The search for improved quality is a never ending effort. LASH will continue the development of support systems to improve our advocacy effort for clients.

- 4. ***Since 1998, has there been improvement in the relative equity of clients access throughout the state for all low income clients regardless of who they are, where in the state they reside, what languages they speak, their race/gender/national origin, or the existence of other access barriers? How is this equity achieved?***

There has been an increase in representation from communities which are more isolated. This improvement has been the result of increased ease of access through the ISLANDS hotline and outreach workshops conducted in outlying communities. In the future, we expect to track geographical distribution of clients served by the web page and CEJ services that will be offered. Although as of now, we do not know specifically the degree to which videoconferencing will ease access, we believe it will significantly improve access and will track its utilization.

- 5. ***Since 1998, has there been improvement in the relative equity in terms of the availability of the full range of civil equal justice delivery capacities throughout the state? What mechanisms have been developed to ensure such relative equity is achieved and maintained? Since 1998, has there been improvement in the relative equity in the development and distribution of civil equal justice resources throughout the state? Are there areas of the state that suffer from a disproportionate lack of resources (funding as well as in-kind/pro bono)? If so, is there a strategy to overcome such inequities?***

Section A of this report contains extensive descriptions of the variety of methods LASH is employing to improve relative equity in utilization of the delivery capacity.

Again, technology has been the primary vehicle used to bring our services to isolated communities and populations.

In addition, the program has instituted a very aggressive outreach effort over the past year by attending a number of clinics, workshops and exhibitions. Attached to this report is a list of such efforts undertaken from August to December, 2001.

This outreach effort has been coordinated by an AmeriCorp LASH employee who is responsible for publicity and outreach throughout the state.

The program has historically staffed nine offices on the six primary islands. Staffing patterns in the offices on smaller population and more isolated islands have been established which provide sufficient support to their relevant communities regardless of

whether such staffing and expense would be justified under a strict formula funded approach which emphasizes client population.

6. *Does this legal services delivery system operate efficiently? Are there areas of duplication?*

We believe the system is very efficient. The only area of duplication throughout the state is the administrative structures required in each of the separately incorporated nonprofit programs.

7. *Has the system expanded the way it involves private lawyers in the delivery of essential services to low-income persons? Does the system effectively and efficiently use the private bar to delivery essential services to low income people?*

LASH has been very aggressive in establishing a strong relationship with the state law school, University of Hawaii Richardson School of Law. Students work on externships, fulfilling pro bono requirements and as volunteers. Upon graduation many are hired as AmeriCorp staff.

Through a detailed memorandum of understanding with the pro bono legal services program, Volunteer Legal Services of Hawaii (VLSH), LASH and VLSH have designed a system of cross-referrals using the ISLANDS hotline as the primary place of contact. The MOU allows LASH to access assistance from Pro Bono Attorneys to assist our clients.

LASH has also taken the lead to secure from the Hawaii State Bar Association approval for the creation of an emeritus lawyer program for retired and inactive lawyers. The Supreme Court is currently reviewing our recommendation. Once approved LASH will undertake a comprehensive recruitment effort to recruit inactive and retired lawyers to volunteer with LASH offices without the need to become active HSBA members.

C) *Are the best organizational and human resource management configurations and approaches being used?*

1. *For calendar year 2001, what is the current configuration of program (LSC and non-LSC) that delivery services to low income clients - i.e., what are the components (size, areas of responsibility, governance) of the delivery system? What are the funding sources and levels for each of these components of the delivery system?*

The State of Hawaii has two LSC grantees which are the Legal Aid Society of Hawaii for Basic Field/Migrant Services and the Native Hawaiian Legal Corporation for services to Native Hawaiians.

The components of each program are as follows:

C. Legal Aid Society of Hawaii (LASH)

Victor Geminiani, *Executive Director Telephone: (808) 527-8010*

LASH is the LSC statewide legal services program that provides services to low-income clients in civil matters. LASH is governed by a 33-member board of directors that conforms to LSC regulatory requirements. LASH's budget is approximately \$3.4 million of which about 30% comes from LSC and 30% from the State of Hawaii. The other 40% of funding is derived from approximately 20 distinct funding sources.

D. Native Hawaiian Legal Corporation (NHLC)

Mahealani Kamau'u, *Executive Director Telephone: (808) 521-2302*

NHLC is a nonprofit, public interest law firm representing statewide Native Hawaiians in their

assertion of rights to land, natural resources and related entitlements. The program is governed by a 12 person board that conforms to LSC regulatory requirements NHLC's budget is approximately \$1.5 million of which \$207,000 comes from LSC and most of the remainder comes from the State of Hawaii.

In addition to LASH and NHLC there are six other nonprofit, non-LSC funded legal services programs, they are:

E. Disability Rights Legal Project (DRLP)

Susan Cooper, *Executive Director Telephone: 808-585-9920*

DRLP is a statewide nonprofit corporation which provides legal services to the Hawaii poverty population in the area of disability rights, primarily emphasizing special education. Their governance board is comprised of approximately 10 people. Their budget is approximately \$100,000 which is derived from fees to manage guardian of the property responsibilities and attorney's fees.

F. Domestic Violence Clearinghouse and Legal Hotline (DVCLH)

Nancy Kriedman, *Executive Director Telephone: 808-531-3771*

DVCLH is a nonprofit legal services provides domestic violence referrals, support counseling,

procedural information on obtaining TRO's, applying for child support, reporting abuse, using the criminal justice system and representation.

The program is governed by a volunteer board. Its annual budget is approximately \$1.5 million which is received from the federal government VAWO grant program and from the State of Hawaii.

G. Volunteer Legal Services of Hawaii (VLSH)

Judy Sobin, *Executive Director Telephone: 808-528-7046*

VLSH provides pro bono legal services to low income individuals and families in the area of civil law with primary emphasis on family law. Clients are referred to volunteer attorneys, law students and paralegals. The program is governed by a board of approximately 15 volunteers. VLSH's budget is approximately \$1.2 million. Approximately \$300,000 is provided by the State of Hawaii, \$500,000 from the AmeriCorp program and the rest comes from a variety of smaller grants and contracts.

H. Na Loio

Patricia McManaman, *Executive Director Telephone: 808-847-8828*

Na Loio is a statewide nonprofit legal services program which provides legal services in immigration and naturalization matters and representation in deportation, exclusion and political asylum cases.

The program is governed by a 10 person volunteer board. Funding for Na Loio is approximately \$250,000 of which \$200,000 is provided by the state and the remainder from donations, grants and contracts.

I. Protection and Advocacy Agency of Hawaii (P & A)

Gary Smith, *Executive Director Telephone: 808-949-2922*

P & A is a statewide nonprofit law firm which provides information and referral, education,

advocacy and legal services for people with disabilities. The priority areas include abuse and neglect in facilities, care and treatment, housing, special education and employment discrimination.

P & A is governed by a board of volunteers and has an annual budget of approximately \$1.1 million. The great majority of its funding comes from the federal government.

J. University of Hawaii, Elder Care Program (UHELP)

Jim Pietsch, *Executive Director Telephone: 808-956-6544*

UHELP is a nonprofit organization affiliated with the University of Hawaii Law School which provides free legal services to the elderly who are socially and economically in need of legal assistance and who reside on Oahu.

The program is governed through oversight by the dean of the law school. The total annual budget is approximately \$200,000 which comes primarily from the federal government Title III program and a contract with the county of Honolulu.

2. ***Since October 1998, what other configurations and/or approaches have been seriously explored? Were any adopted? Were any rejected? Are any changes contemplated in the coming year?***

There has been no comprehensive effort to reconfigure the programs already in existence with a formal merger as the goal. In 1998 LASH did formally offer to merge with the Disability Rights Legal Project but, after some discussion by both boards, a formal merger between the two organizations was not pursued. No other merger or consolidation discussions have been held in the state.

3. ***Is there any identifiable duplication in capacities or services in the state? How many duplicative systems - accounting systems, human resources management systems, case management systems, etc. - currently exist? Does the service delivery system now in use minimize or eliminate duplications that existed prior to October 1, 1998?***

Each of the above listed programs have separate management, accounting and case management systems. The delivery system has, to some degree, been coordinated through the creation of the ISLANDS hotline and brief services system described in section A(2) of this report.

4. ***Since October 1998, what innovative service delivery systems/mechanisms/initiatives been adopted in the state? Have any been explored and then rejected?***

The various systems for brief services, web page, email, video conferencing, partnerships, etc. described throughout Section A of this report have all been developed since October 1998. No initiatives that were seriously considered have been rejected. Rather initiatives have been slowly developed, refined and coordinated within and between the partner organizations.

1. Members include: Domestic Violence Clearinghouse and Legal Hotline, Elder Law Program, Volunteer Legal Services, Native Hawaiian Legal Corporation, Life Foundation, Legal Aid Society of Hawai'i, Na Loio No Na Kanaka, Neighborhood Justice Center, Protection and Advocacy.

2. Protocols may be used to assist in implementing some of the recommendations of the other subcommittees. By way of example: various subcommittees throughout the drafting of this strategic plan discussed specific standards and expectations such as quarterly review of case acceptance criteria for gaps, the expansion of brief services review, the review all dockets outside case acceptance criteria, case conferences for attorneys cross over issues, annual case reviews and evaluations, the assignment of a Mentor/Supervisor, and management commitment to mentoring. While protocols are not a substitute for job descriptions and evaluations they can be used in conjunction.

3. In using the term "training" in this strategic plan, we refer to "on the job" training, shadowing, formal classes on substantive and procedural issues as well as other innovative means of learning.